

HOLD DEPOSED CHIEF TO BE BLAMELESS

Grand Jury, After Two Days of Investigation, Exonerate Joseph Leal.

RECOMMEND REINSTATEMENT

Witnesses Who Made Statements Against Him Testify Before the Jury.

(From Saturday's Advertiser.)

The territorial grand jury yesterday completed its investigation of Joseph Leal, ex-chief of detectives, and after one of the longest sessions which it has ever held over any one case returned the results of its investigations before Judge De Bolt in the circuit court at half past three. The port in full is as follows:

"We, the grand jurors, respectfully report in the above entitled matter that after full investigation, and the examination of many witnesses, we find that Joseph Leal is innocent of any charges of receiving money for the protection of gambling or for the violation of the laws of the Territory in any way.

"We desire to fully and completely exonerate him and we further desire to recommend to the Sheriff of the City and County of Honolulu that as an act of justice to Mr. Leal, he should be reappointed as chief of detectives, thereby retaining for the benefit of the community, a most valuable and efficient officer."

With this report ended the duties of the grand jury in connection with the consideration of the evidence against Leal collected and presented by Sheriff Jarrett, the taking of which first resulted in Leal's suspension and then in his dismissal from the force. Leal stated last night that he would not apply for any position on the police force at the present time and Sheriff Jarrett stated that he would not reappoint him if he did.

When the jury took up the investigation again yesterday morning at nine o'clock Apaliona again took the stand. When the record of his examination, a summary of which was run in the Advertiser of yesterday, was shown him, he is supposed to have denied ever making such a statement, saying that he answered some questions which Sheriff Jarrett read from a slip of paper and that he did not remember what they were.

Several days after Apaliona had made the statement to Jarrett and it had been taken down by a stenographer, a transcript was made and given him to sign, something which he refused to do.

P. H. Burnette was yesterday one of the witnesses before the jury, probably to testify in regard to this refusal of Apaliona to acknowledge his statements.

Mike Paton, supposed to be a friend of McHenry, was another witness and he was followed by Jim Dodd. Sheriff Jarrett was also called, but his examination was brief.

A man named Maxwell, now a member of the mechanical force of the Bulletin, who is an ex-police man of Maui, was the next witness. What his testimony was before the inquirers is unknown but his statements prior to the investigation constituted a separate charge against the deposed chief.

Matsu, or Matsui, the yard boy of Leal, was a witness against him. What his testimony was is uncertain but it is presumed that it was connected with the alleged visits of Apaliona to Leal's house.

Leal himself then entered the chamber and took the stand on his own behalf. He was interrupted for a few minutes while Burnette was called and then reentered and completed his testimony. He was the last witness. Cathcart came out immediately afterwards and entered his office at the other end of the hall.

A few minutes later Milverton, who had been closeted with Cathcart, came out and entered the jury room to get some papers which he took back to the county attorney's office.

Cathcart immediately afterwards returned to the jury chamber, speaking of Leal on the way, and a few minutes later he had gone in, the jurors came out and walked to the Judiciary Building where they returned their report. In handing it to Judge De Bolt, Foreman W. Channsey Wilder requested that the report be made as public as possible.

In a statement made last night by Leal, he states that McHenry's arraignment of him was spurious as he had ordered the burkholder out of the Islands several times or at least told him that it would be better for his health if he removed himself.

The grand jury is comprised of W. C. Wilder, foreman, John E. Smith, Percy Pond, G. M. Hupp, George Fuller, K. R. G. Wallace, E. R. Bath, J. J. Byrne, Drew, Auld, Harry Armitage, M. G. Mayers, Henry Along, John Fuller, John Philip, H. J. Glade, Edwin Hanner, Captain Miller and Rudolph Ludloff.

ANOTHER INNOCENT MAN.

(By Associated Press.)

SAN FRANCISCO, December 4.—On motion of Attorney Hunt, the charges of bribery preferred against former Supervisor Wilson have been dismissed.

CARRIAGE TOP HITS DIPLOMAT

Bow-Line of Mongolia Damages the Chinese Minister's Surrey.

(From Saturday's Advertiser.)

His Excellency Chang Yin Tang, the new Chinese Minister to the United States, who arrived yesterday on the Pacific Mail steamship Mongolia en route to Washington, had a narrow escape while leaving the Hackfeld wharf from serious injury. The minister, accompanied by his secretary, after leaving the steamer, were placed in the carriage of Tseng Hai, the local Chinese consul, who occupied the front seat with the driver, the minister occupying the rear seat.

The carriage, with others provided for the minister's suite, was driven through the wharf shed and as they emerged into the open part of the wharf their progress was partially obstructed by the big bow line from the Mongolia which stretched diagonally downward across the wharf to the mauka side, where it was secured in an iron ring. The driver endeavored to pass under the highest place under the line, but just as the carriage started under, the line sagged a trifle and caught the carriage top. Instantly there was a rending and crushing of woodwork and cloth and the whole top crumpled and fell upon the minister and secretary.

The carriage was stopped immediately and men rushed over to offer assistance. The minister had thrown his hands up and held the top off his body. An automobile was summoned and the officials were transferred to the faster vehicle, and in this were conveyed to the Chinese consulate off King and Sheridan streets, where the minister will be entertained until the departure of the Mongolia. The remainder of the suite were conveyed to the consulate in a six-horse tallyho driven by Lewis. Accompanying the minister are forty-eight Chinese, including the wife of the minister and several other ladies and young gentlemen. Six young Chinese accompany the minister as legation guards. They wear dark green uniforms with silver braid trimmings and on the collar is the legend, "Chinese Legation" in large white letters. They wear military caps, large enough to confine the queue underneath. They look like the bellboys found in the big hotels.

The new Chinese consul for Honolulu also arrived with the minister. He is accompanied by his two sons and two other people who will be attached to the consulate. The new consul is Liang Koh Yin. He succeeds Tseng Hai, who will shortly return to China.

The new minister to the United States is a rather young man of prepossessing appearance. He has been an official adviser of the Chinese foreign office at Peking and is said to be a well-read man on international politics.

The minister and new consul were met at the wharf by the Chinese consul and secretaries and several prominent Chinese of Honolulu, all robed in gorgeous Chinese apparel.

CONSTABULARY IN HOT FIGHT.

(By Associated Press.)

MANILA, December 4.—In a desperate encounter between the Philippine Constabulary and a horde of fanatical natives of Mindanao, eleven men of the constabulary have lost their lives. Twenty tribesmen were killed.

OF THE MULTITUDES

who have used it, or are now using it, we have never heard of any one who has been disappointed in it. No claims are made for it except those which are amply justified by experience. In recommending it to the afflicted we simply point to its record. It has done great things, and it is certain to continue the excellent work. There is—we may honestly affirm—no medicine which can be used with greater and more reasonable faith and confidence. It nourishes and keeps up the strength during those periods when the appetite fails and food cannot be digested. To guard against imitations this "trade mark" is put on every bottle of



"Wampole's Preparation," and without it none is genuine. It is palatable as honey and contains all the curative properties of pure Cod Liver Oil, extracted by us from fresh cod livers, combined with the Compound Syrup of Hypophosphites and the Extracts of Malt and Wild Cherry. Taken before meals it creates an appetite, aids digestion, renews vital power, drives out disease germs, makes the blood rich, red and full of constructive elements, and gives back to the pleasures and labors of the world many who had abandoned hope. Doctor S. H. McCoy, of Canada, says: "I testify with pleasure to its unlimited usefulness as a tissue builder." Its curative powers can always be relied upon, and "You can trust it as the Ivy does the Oak." One bottle convinces. Avoid all unreliable imitations. Sold by chemists throughout the world.

M'DUFFIE OFFERED THE POSTEN OF CHIEF OF DETECTIVE FORCE

Sheriff Jarrett Hopes He Will Accept the Vacant Post—Leal Will Not Be Reappointed Under Any Circumstances.

(From Saturday's Advertiser.)

Sheriff Jarrett has offered the position of chief of the detective force to Arthur McDuffie, formerly on the force under Sheriff Brown and now connected with the Hawaiian Dredging Company. Mr. McDuffie is considering the offer and will probably decide whether he can accept it or not by Monday next. He is the only one to whom the sheriff has made any offer, despite inspired reports to the contrary.

McDuffie is regarded as a thoroughly competent man for the position, and if he accepts will enter upon his duties with the full confidence of his superior officers.

"I have made Mr. McDuffie an offer of the vacant position," said Sheriff Jarrett last night. "I believe that if he can see his way clear to accept, I will have a very efficient man at the head of the detective force. I realize that in some quarters his choice may be criticized, but I have considered McDuffie's former connection with the police, the questions that arose at that time and the other circumstances in connection with them, and I have decided that I want him. Should he decide that he is not able to accept my offer, which I trust he will not, I have another good man in view. No, he is not a newspaper man. At the commencement of my term I offered the position to A. P. Taylor, but he decided that the position was one he did not care to fill again. I have not offered him the position since, as I have no reason to suppose that he has changed his mind.

"Under no circumstances will I reappoint Leal. I discharged him because I had satisfied myself that he was not fit for the position. I knew what I was doing, and I know what I am doing now. Whatever may have been the finding of the grand jury, my own opinion remains the same.

"I hope to be able to finish my term without any further disagreeable incidents, but if I find that there is graft or the semblance of graft among any of the police officers, I will not hesitate as to what to do about it."

MUDBANKS HELD THE MONGOLIA

Heavy Cargo on Big Liner Kept Her Away From the Wharf.

(From Saturday's Advertiser.)

Drawing thirty-one feet, eight inches of water the Pacific Mail steamship Mongolia had difficulty in making a landing alongside the Hackfeld wharf yesterday afternoon, owing to mudbanks. The vessel is carrying 13,000 tons of freight of which 2500 are for Honolulu. The entire cargo is the largest that has ever been brought into this harbor and Pilot Sanders had considerable maneuvering to accomplish in order to bring the vessel to the wharf.

After getting inside the harbor the big liner was slowed down to permit the quarantine doctors to leave in their launch. When she slowed down she also slowed around and became cranky and failed to answer her bell properly. The result was that her anchor was let go and she whistled for help. The tug Intrepid came up and took a bow line and she was swung up to her berth. She could not be brought within ten feet of the wharf with all power put on her shore lines, and she again whistled for the tug. The stern was slowed up closer to the wharf but the bow could not be moved. Soundings taken forward showed that the Mongolia was hard on the mud. Efforts to shift her closer to the dock were unavailing.

The gangway was raised over the intervening water and the passengers were finally allowed to get ashore about four o'clock.

Pilot Saunders states that the Mongolia is carrying the largest cargo ever brought into the harbor. There are supposed to be thirty-five feet of water in the channel and also in the harbor but the heavy rain of Thursday night brought heavy deposits of mud into the harbor causing the harbor to shoal in many places.

JAPAN'S NEW AMBASSADOR HERE THURSDAY

Baron Uchida, the new Japanese Ambassador to the United States, will pass through Honolulu on Thursday, being a passenger aboard the Tenyo Maru.

The baron only lately returned to Japan from Vienna, where he served as ambassador from February 10, 1907. His retirement from Vienna was for the purpose of accepting the Washington post.

Baron Uchida has been in the diplomatic service of Japan since he entered it twenty-two years ago. He was born in 1865 and was appointed secretary of legation in London in 1893, and was transferred to a similar post in Peking, serving from 1895 to 1897. In 1900 he was made vice minister of foreign affairs, and in 1901 he was transferred to the legation at Peking, serving until 1906. About a year later he was sent to Vienna.

Mrs. Uchida is a daughter of Mr. Togura, a millionaire of Yamato. She was educated in Vassar College, in the state of New York.

STEAMSHIP GENERAL MANAGER TO BE HERE

General Manager Avery of the Toyo Kisen Kaisha line is among the passengers aboard the Chiyu Maru which is due here Monday morning. He is en route to Yokohama, possibly to confer with officials of the line. It has been rumored that the T. K. K. company is preparing to take action to cut loose from the Pacific Mail company and operate separately.

Mrs. Avery, his wife, arrived yesterday on the Mongolia from the Far East where she has been spending a few months. She was en route to the Coast but on arrival yesterday received a wireless message from Mr. Avery asking her to stop over here. She is stopping at the Moana Hotel, where she was a guest a few years ago for an entire winter. At present Mrs. Avery does not know whether she will go on to the Coast or return to the Far East with Mr. Avery or remain here awhile.

MANY SALUTES TO AND BY ARCONA

Smart German Cruiser Is Back From the Portola Fete and Coast Cruise.

Firing twenty-one guns as a national salute as she sped along the coast of Kewalo and Kakaako the crack little German cruiser Arcona came into port shortly after three o'clock yesterday afternoon from San Diego. As her guns began barking the attention of people along shore was attracted to the spectacle, for the vessel came along in a heavy mist and when her guns were fired the red flash could be plainly seen. She looked like a cruiser in action.

The national salute was returned by the two guns of the saluting battery at the naval station, and then the German ship fired thirteen more, in honor of Admiral Rees, whose flag was hoisted Thursday. The salute was returned from the naval station, and finally, late in the day seven more guns were fired by the cruiser when the German consul W. F. Potenhauer, left the ship.

The Arcona came along toward the channel so fast that the pilot boat was unable to catch the rope thrown out, and the captain decided to keep right along. As she came up alongside the wharf, a shipping man inquired what pilot had brought her in so nicely, which the German officers felt was a compliment.

The cruiser attended the Portola festival and the officers and crew are loud in their praises of the reception accorded them in San Francisco. On the Empress' birthday all the ships of war fired salutes in honor of the Kaiserin. After leaving San Francisco the cruiser went to Seattle and on passing down the coast wirelessly in to the German consul that they would pass close to the Cliff House and displayed a German flag which the cruiser people saw as they came along just at dusk. Then they threw the glare of their searchlight upon the flag and kept it in sight for a long time. The whole performance was quite spectacular.

At San Pedro the Arcona had the honor of being the first warship to enter the harbor and tie up at the wharf.

The Arcona will remain here until Wednesday when she will steam for Yokohama, where they expect to arrive about Christmas day. It is the custom of all warships of the German navy to make an effort to be in port on Christmas day so that the crew may have shore leave.

The Arcona looks spick and span in her white coat of paint with blue line at the base of the bulwarks. She is a natty cruiser and her officers and crew are a fine lot of men and capital hosts.

BIG FIGHT TO BE AT COLMA OR SALT LAKE

NEW YORK, December 3.—The final articles for the great Johnson-Jeffries fight were signed yesterday. They call for a meeting on July 4 but the place is not definitely stated, the articles merely saying "in Utah or California." This means Salt Lake City or Colma, near San Francisco. At the latter place they have an arena all ready for the mill, but the promoters may figure that, by having the fight in Utah, they will draw more of the wealthy eastern sports, as Salt Lake is two days nearer New York than San Francisco.

No referee is mentioned, but it states that he must be selected sixty days before the contest. With regard to the number of rounds the articles call for forty-five "or more" rounds; this means practically a finish fight. If at the end of forty-five rounds, neither fighter has decidedly the better of it, the referee can call for more rounds. As far as that goes, there is very little likelihood that the battle will go anything like that distance.

NO EXPERIMENT.

You are not experimenting when you buy Chamberlain's Cough Remedy. You are getting a preparation that has an established reputation for good backed by a third of a century's constant use. It is famous for its prompt cures of coughs, colds, croup and whooping cough. For sale by Hanson, Smith & Co., Ltd., agents for Hawaiian Islands.

BELIEVES CUPID'S VISIT TIMELY

Hilo Paper Thinks His Coming Will Benefit County Affairs Generally.

The Hilo Tribune takes a very sensible and broad-gauge view of the visit of the Delegate to the Big Island. In its last issue it says editorially:

"The arrival of Delegate Kalaniana'ole in a few days is a matter which should cause rejoicing among the local Republicans who really have the good of the party at heart. It must be admitted that, owing mainly to the course of local county affairs, the cause of the Republican party here is not in the best of shape, and, while the Delegate's position is certainly distinct from the matters of the county, his presence here may be expected to have a unifying effect on the party, and this is needed.

"The presence of the Delegate should, however, be a matter of gratification beyond the strict interests of party. No matter what one's idea may be of party politics as related to our purely local affairs, the matter of the Delegate is one which must be considered on much broader lines. His is a position on which the welfare of the country depends in the greatest possible measure, and it is a matter of the utmost importance to every resident of the Territory that there be in Washington a man, representing the Territory, in whom confidence can be placed. Delegate Kalaniana'ole has made good. He has shown his ability by the results of his terms at Washington, and there is every reason that, as he has gained in experience and in standing among the members of congress, that his work may be crowned with still more success in the future.

"The position of the Delegate in the community should be even stronger than before, now that the legislature has settled the land law bugaboo which undoubtedly assisted the Democratic cause greatly last year. As the condition of affairs is today the Democratic party appears to be in some confusion, a large number of the party members repudiating the work of their own men in the legislature, and the question of who will be the party's candidate for Delegate being unsettled."

SECOND LARGEST CARGO BROUGHT HERE

With the second largest cargo of oriental freight ever brought here in a passenger vessel, the Mongolia arrived yesterday afternoon at three o'clock from Yokohama and China ports. Her local cargo comprises about 2500 tons, just 200 tons less than the very largest ever dropped off here.

Owing to the heavy cargo the vessel could not be brought alongside the wharf and the discharging of freight was attended with extra effort, until early this morning when the vessel shifted to the wharf at high tide. In spite of the delays in getting a quick dispatch of the cargo, Captain Reilly, the wharf superintendent, expects to have the vessel ready for departure at 12 o'clock noon today. The hour of departure, however, is subject to change and information on the subject may be had by calling up Hackfeld's steamship office.

The passengers are not many this trip and for the most part are made up of the suite of His Excellency Chang Yin Tang, the new Chinese minister to the United States. The entire party numbers over fifty persons.

C. Bryer, is a prominent tea merchant of Formosa. C. A. Freer is a Detroit millionaire who is returning home from a pleasure trip. Mr. and Mrs. George Hellar and son and Miss B. H. Smith form a party of Seattle people, who will remain here a short time before proceeding to the Coast.

C. A. Stephens is connected with the San Francisco customs service. He went to the Far East recently, it was generally supposed, in order to gain some knowledge of the opium traffic. That is merely a rumor. However, he believes that the time is not yet ripe for attempts to smuggle opium on a large scale, believing that the big people interested in smuggling it will work up their business gradually until the contraband stuff is worth about \$100 a pound. He was interested in the recent seizures of opium here and the manner in which the hui had been run down.

Dr. Armstrong Smith returned on the Mongolia looking almost a European. He was greeted by a number of old friends at the wharf and was given a cordial welcome home again. Doctor Smith attained prominence during the cholera outbreak here in 1895 when he volunteered as a nurse, and again in 1899 and 1900 when he was once more a volunteer nurse during the plague epidemic, having charge of the pest house at Kakaako. For his services in both instances he was rewarded in a tangible way, and he then left for Great Britain where he pursued medical studies and has been a practicing physician for several years. He may decide to remain here.

The cargo of the Mongolia includes about 1300 bales of raw silk.

THISTLEMORE TO THE BOTTOM

(By Associated Press.)

LONDON, December 4.—The British steamer Thistlemore, of 2579 tons, commanded by Captain Yeo, sank yesterday in Branstable Bay during a terrific storm which is raging along the English coast. Thirty members of the crew were lost.

It is also reported that the captain and mate of the steamer Congress were washed overboard.

TAFT IS READY.

(By Associated Press.)

WASHINGTON, December 3.—President Taft has completed his message to congress.

IGNORED THE NOTE OF KNOX

Zelaya Met Ultimatum and Roast by Trying to Work Certain Members of Congress.

TROOPS ARE DESERTING HIM

Despatches State That Bodies of Groce and Cannon Were Burned After Death.

(By Associated Press.)

WASHINGTON, December 4.—It is reported here that President Zelaya of Nicaragua has not only refused to take official cognizance of Secretary of State Knox's note accompanying the passports to the Nicaraguan chargé d'affaires, but he is alleged to have sent special agents to Washington in the endeavor to have the ultimatum set aside by a direct appeal to individual members of congress.

Americans' Bodies Burned.

NEW ORLEANS, December 4.—Passengers returning on steamers from Nicaragua declare that the bodies of Messrs. Groce and Cannon, the two Americans serving as colonels in the revolutionary army, who were executed by orders of Zelaya, were also burned by Zelaya's orders. The same report comes from Bluefields.

A message received from Rama declares that a detachment of Zelaya's army has surrendered to the revolutionary forces after almost succumbing to starvation. It is also believed at Bluefields that a settlement is close at hand and that the revolutionists will lose nothing in the negotiations.

Deserting Sinking Ship.

BLUEFIELDS, December 3.—Colonel Guadamuz and one hundred men have deserted the government forces of Nicaragua and have joined fortunes with the revolutionaries under General Estrada. Reports have reached here to the effect that President Zelaya and fourteen hundred men, with two hundred sick and wounded, are stationed near Rama.

Prairie Still Stuck.

PHILADELPHIA, December 3.—The U. S. S. Prairie, which sailed yesterday with Rear-Admiral Kimball in charge, and with 700 marines, bound for Nicaragua or Panama, which went ashore while passing down the Delaware, is still fast aground, and the U. S. S. Dixie may take aboard the Prairie's troops and proceed.

BARK MATTERHORN LOST NEAR SOUND

(By Associated Press.)

PORTLAND, Oregon, December 4.—The British bark Matterhorn has foundered off Umatilla Reef and three members of the crew were drowned. The Matterhorn was a vessel of 1754 tons, commanded by Captain Salter. She was bound from Portland for Queenstown.

FIGHTERS MUST WORK FOR NINETY DAYS.

(By Associated Press.)

NEW YORK, December 4.—In the articles signed yesterday by James J. Jeffries and Jack Johnson for the championship of the world, it is stipulated that both men shall begin training ninety days before the fight.

ANOTHER GRAFTER LOOSE.

(By Associated Press.)

SAN FRANCISCO, December 3.—Abe Ruef, the convicted boulder and oldtime boss of this city, was released from jail today, he having been able to secure the required bail of \$500,000. The physicians named by Judge Cabanis to examine Ruef state that he is ill.

PARLIAMENT IS DISSOLVED.

(By Associated Press.)

LONDON, December 4.—King Edward yesterday prorogued parliament, and the fight for the rights of the elected commons against the hereditary members has begun in earnest.

PORTUGAL WOULD RETAIN MACAO

LISBON, November 18.—The Seculo today says that the Chinese delegates to the Hongkong congress, having refused to recognize Portugal's claims in Macao or to submit the question to arbitration, Portugal, with the support of Great Britain, has opened pourparlers direct with China for the maintenance of the status quo.

The island of Macao, at the mouth of the Canton river, forms, with the two small adjacent islands of Tiapa and Solane, a province. The city of Macao is divided into two wards, one inhabited by the Chinese and the other by non-Chinese, each having its own administrators. China holds that all the dependencies of the city of Macao have been occupied illegally by Portugal for some years, and insists that the territory and islands be evacuated by Portugal.

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